

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

POWER INVESTMENTS, LLC,	)	
	)	
Plaintiff/Counterclaim	)	
Defendant,	)	
vs.	)	Case No. 4:21-cv-01022-SEP
	)	
CARDINALS PREFERRED, LLC,	)	
	)	
Defendant/Counterclaim	)	
Plaintiff.	)	

**MOTION TO WITHDRAW AS**  
**COUNSEL FOR POWER INVESTMENTS, LLC**

Christopher R. LaRose and Daniel R. O'Brien of the law firm Armstrong Teasdale LLP (collectively, "**Moving Counsel**") respectfully seek leave to withdraw as counsel of record for Plaintiff/Counterclaim Defendant Power Investments, LLC ("**Power**") in the above-captioned action. In support, Moving Counsel state as follows:

1. On February 21, 2022, Defendant/Counterclaim Plaintiff Cardinals Preferred, LLC ("**Cardinals**") filed a Motion to Disqualify Armstrong Teasdale LLP as Counsel for Plaintiff and to Stay Proceedings (the "**Motion to Disqualify**"), which sets out Cardinals' views on the Motion to Disqualify. (Doc. 85.)
2. On March 1, 2022, Power filed its Memorandum in Opposition to Defendant's Motion to Disqualify Armstrong Teasdale LLP as Counsel for Plaintiff and to Stay Proceedings. (Doc. 105), which sets out Armstrong Teasdale's views to this motion.
3. The Motion to Disqualify has been pending since February 21, 2022.
4. In the interest of allowing this action to be concluded on the merits as expeditiously as possible, in recognition that Power is now also represented in this action by

counsel at Dowd Bennett LLP, and with Power's consent and approval, Moving Counsel hereby move the Court for leave to withdraw as counsel of record for Power in this action.

5. The parties are filing a stipulation herewith regarding this withdrawal request and Cardinal's agreement to withdraw the pending Motion to Disqualify. That stipulation provides that no party is expressing a view on the merits of any of the pending motions addressed therein, including the Motion to Disqualify.

6. Missouri Supreme Court Rule 4-1.16 addresses permissive withdrawals. It provides in relevant part: "Except as stated in Rule 4-1.16(c), a lawyer may withdraw from representing a client if: (1) withdrawal can be accomplished without material adverse effect on the interests of the client; . . . or (7) other good cause for withdrawal exists."

7. Here, withdrawal can be accomplished without material adverse effect on the interests of the client. Power is also now represented by able counsel at Dowd Bennett LLP, and Moving Counsel will cooperate with an effective transition of the representation to Dowd Bennett LLP in order to minimize any resulting prejudice to Power. Additionally, this action is set for trial on October 4, 2022 (Doc. 40 at 2), leaving Dowd Bennett LLP sufficient time to prepare for any trial that may take place.

8. In addition, there is independent good cause for withdrawal. Granting the leave requested herein will clear the Court's docket of the pending Motion to Disqualify and therefore assist with facilitating a more efficient and expeditious conclusion to this action on the merits.

WHEREFORE, for the reasons stated herein, Christopher R. LaRose and Daniel R. O'Brien of the law firm Armstrong Teasdale LLP request the Court to grant them leave to withdraw as counsel of record for Plaintiff/Counterclaim Defendant Power Investments, LLC in the above-captioned action.

Dated: March 9, 2022

ARMSTRONG TEASDALE LLP

By: /s/ Christopher R. LaRose

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ATTORNEYS FOR  
PLAINTIFF/COUNTERCLAIM DEFENDANT  
POWER INVESTMENTS, LLC

**CERTIFICATE OF SERVICE**

The undersigned certifies that on this 9th day of March, 2022, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of the same to all counsel of record.

/s/ Christopher R. LaRose